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January 11, 2023

Hon. Daniel J. Stewart  
United States Magistrate Judge  
James T. Foley U.S. Courthouse  
445 Broadway, Room 441  
Albany, New York 12207

Re: *Tyler Technologies, Inc. v. New York State Department of Taxation and Finance, et al.*  
NDNY; 22-cv-877 (DNH/DJS)

Dear Judge Stewart:

I am writing to Your Honor on behalf of all parties. Your Honor's November 8, 2022 text order provides (in pertinent part):

On October 4, 2022, Defendants advised the Court that they have conferred with Plaintiff and all parties are in agreement that they would like an opportunity to engage in discussions to resolve this matter. . . . [T]he Court grants Defendants a ninety (90) day extension in which to respond to Plaintiff's Complaint. Defendants shall file their response or advise the Court as to the status of the discussions to reach a resolution by January 17, 2023.

The parties' discussions are progressing. Our principals and counsel came together for an initial meeting, and, thereafter, counsel have met separately and exchanged information and questions intended to clarify the parties' respective positions in an effort to facilitate our attempt to find common ground.

We would like the opportunity for our discussions to continue in the hope that the parties can short-circuit this litigation by reaching an agreement that resolves the matter. To that end, the parties request an additional ninety (90) days from January 17, 2023 to report to Your Honor on the progress of our discussions, or, if our discussions do not lead to a resolution, ninety (90) days from January 17, 2023 for Plaintiff to demand a response to the Complaint, which would then be due twenty (20) days thereafter.

The parties thank the Court for its consideration.

Respectfully,



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and Special Counsel  
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cc: Tara Pehush, Esq. (*via email and ECF*)  
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